

**AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE**

Index # 07cv4095

Purchased/Filed: May 25, 2007

STATE OF NEW YORK

DISTRICT COURT

SOUTHERN DISTRICT

*The New York City District Council of Carpenters Pension Fund, et. al*

Plaintiff

against

*R. LaPointe Concrete & Construction Corp.*

Defendant

STATE OF NEW YORK  
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on May 31, 2007, at 2:00 pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons and Complaint, Judge Lynch's Rules and Magistrate Pitman's Rules

on

R. LaPointe Concrete & Construction Corp., the Defendant in this action, by delivering to and leaving with Amy Lesch, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

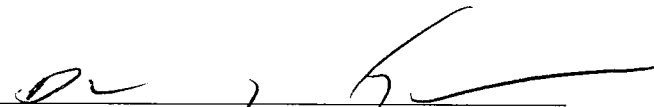
Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 23 Approx. Wt: 160 Approx. Ht: 5'9"

Color of skin: White Hair color: Blonde Sex: F Other: \_\_\_\_\_

Sworn to before me on this

4th day of June, 2007

  
DONNA M. TIDINGS  
NOTARY PUBLIC, State of New York  
No. 01T14898570, Qualified in Albany County  
Commission Expires June 15, 2007

  
Jessica Miller

Invoice•Work Order # SP0704756